



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

BWB:JMH
F. #2015R01172

*271 Cadman Plaza East
Brooklyn, New York 11201*

February 29, 2016

By First-Class Mail and ECF

Jeffery L. Greco, Esq.
Greco & Neyland
261 Madison Avenue, 12th Floor
New York, New York 10016

Re: United States v. Jacques Durand
Criminal Docket No. 15-531 (ILG)

Dear Mr. Greco:

Enclosed please find supplemental discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The enclosed disc is encrypted and the password will follow by separate cover. The documents provided with this letter are provided subject to the protective order entered by the Court on February 24, 2016. See Docket Entry No. 22.

The documents Bates-numbered DURAND000076 through DURAND000711 were obtained from JPMorgan Chase Bank, Capital One, and Bank of America, and concern certain of the credit card accounts charged in the indictment, including photographs of an individual appearing to be the defendant taken by ATM cameras at the time of cash withdrawals.

The documents Bates-numbered DURAND000712 through DURAND001022 were obtained from Macys, and reflect purchases made on certain of the credit card accounts charged in the indictment.

The documents Bates-numbered DURAND001023 through DURAND001055 were obtained from Target, and reflect purchases made on certain of the credit card accounts charged in the indictment.

The documents Bates-numbered DURAND001056 through DURAND001077 were obtained from Experian, a credit bureau, and relate to the defendant's credit history, and to services purchased using certain of the credit card accounts charged in the indictment.

The documents Bates-numbered DURAND001078 through DURAND001080 were obtained from Scoresense, a credit monitoring service, and relate to services purchased using certain of the credit card accounts charged in the indictment.

The documents Bates-numbered DURAND001081 through DURAND001083 were obtained from Transunion, a credit bureau, and relate to services purchased using certain of the credit card accounts charged in the indictment.

The documents Bates-numbered DURAND001084 through DURAND001086 were obtained from Apple, Inc., and reflect purchases made on certain of the credit card accounts charged in the indictment.

The documents Bates-numbered DURAND001087 through DURAND001109 were obtained from the New York State Department of Motor Vehicles and relate to the defendant's driving records.

The documents Bates-numbered DURAND001110 through DURAND001112 were obtained from Inflection, LLC, a credit monitoring service, and relate to services purchased using certain of the credit card accounts charged in the indictment.

Please note that certain of these records, such as the reports from the various financial institutions, were originally in Microsoft Excel format and have been converted to PDF format. The government has also redacted certain personally identifying information ("PII") from the enclosed documents, such as Social Security numbers and street addresses. Should you wish to discuss any of these redactions or review records in their original formats, please contact me.

Future Discussions

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me.

Please be advised that, pursuant to the policy of the Office concerning plea offers and negotiations, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, any discussion regarding the pretrial disposition of a matter that is not reduced to writing and signed by authorized representatives of the Office cannot and does not constitute a “formal offer” or a “plea offer,” as those terms are used in Lafler v. Cooper, 132 S. Ct. 1376 (2012), and Missouri v. Frye, 132 S. Ct. 1399 (2012).

Very truly yours,

ROBERT L. CAPERS
United States Attorney

By: /s/ J. Matthew Haggans
J. Matthew Haggans
Assistant U.S. Attorney
(718) 254-6127

Enclosures

cc: Clerk of the Court (ILG) (by ECF) (without enclosures)